

# War on Drugs

**War on Drugs** is a term commonly applied to a campaign of prohibition of drugs, military aid, and military intervention, with the stated aim being to define and reduce the illegal drug trade.<sup>[3]</sup> This initiative includes a set of drug policies that are intended to discourage the production, distribution, and consumption of what participating governments and the UN define as illegal psychoactive drugs. The term was popularized by the media shortly after a press conference given on June 18, 1971, by United States president Richard Nixon—the day after publication of a special message from president Nixon to the Congress on Drug Abuse Prevention and Control—during which he declared drug abuse "public enemy number one". That message to the Congress included text about devoting more federal resources to the "prevention of new addicts, and the rehabilitation of those who are addicted", but that part did not received the same public attention as the term "war on drugs".<sup>[4]</sup>



As part of the War on Drugs, the US gives hundreds of millions of dollars per year of military aid to Colombia, used to combat guerrilla groups such as FARC that are involved in narco-trafficking.<sup>[1][2]</sup>

On May 13, 2009, Gil Kerlikowske—the current Director of the Office of National Drug Control Policy (ONDCP)—signaled that the Obama administration did not plan to significantly alter drug enforcement policy, but also that the administration would not use the term "War on Drugs", because Kerlikowske considers the term to be "counter-productive". ONDCP's view is that "drug addiction is a disease that can be successfully prevented and treated... making drugs more available will make it harder to keep our communities healthy and safe." One of the alternatives that Kerlikowske has showcased is the drug policy of Sweden, which seeks to balance public health concerns with opposition to drug legalization. The prevalence rates for cocaine use in Sweden are barely one-fifth of those in European countries such as the United Kingdom and Spain.<sup>[citation needed]</sup>

In June 2011, a self-appointed Global Commission on Drug Policy released a critical report on the War on Drugs, declaring:

The global war on drugs has failed, with devastating consequences for individuals and societies around the world. Fifty years after the initiation of the UN Single Convention on Narcotic Drugs, and years after President Nixon launched the US government's war on drugs, fundamental reforms in national and global drug control policies are urgently needed.

The report was criticized by organizations that oppose a general legalization of drugs.<sup>[]</sup>

## History

Although Nixon declared the War on Drugs public enemy number one in 1971, the policies that his administration implemented as part of the Comprehensive Drug Abuse Prevention and Control Act of 1970 were a continuation of drug prohibition policies in the U.S., which started in 1914.<sup>[5][6]</sup> Less well-known today is that the Nixon Administration also repealed the federal 2–10-year mandatory minimum sentences for possession of marijuana and started federal demand reduction programs and drug-treatment programs. Robert DuPont, the "Drug czar" in the Nixon Administration, stated it would be more accurate to say that Nixon ended, rather than launched, the "war on drugs". DuPont also argued that it was the proponents of drug legalization that popularized the term "war on drugs".<sup>Wikipedia:Identifying reliable sources</sup>

The first U.S. law that restricted the distribution and use of certain drugs was the Harrison Narcotics Tax Act of 1914. The first local laws came as early as 1860.

In 1919, the United States passed the 18th Amendment certified on Jan. 29, which prohibited the sale, manufacture, and transportation of alcohol for consumption on a national level.

In 1920, the United States passed the National Prohibition Act (Volstead Act), enacted to carry out the provisions in law of the 18th Amendment.

The Federal Bureau of Narcotics was established in the United States Department of the Treasury by an act of June 14, 1930 (46 Stat. 585).

In 1933, the federal prohibition for alcohol was repealed.

In 1935, president Franklin D. Roosevelt publicly supported the adoption of the Uniform State Narcotic Drug Act. *The New York Times* used the headline "Roosevelt Asks Narcotic War Aid".

In 1937, the Marijuana Transfer Tax Act was passed. Several scholars have claimed that the goal was to destroy the hemp industry,<sup>[7][8]</sup> largely as an effort of businessmen Andrew Mellon, Randolph Hearst, and the Du Pont family. These scholars argue that with the invention of the decorticator, hemp became a very cheap substitute for the paper pulp that was used in the newspaper industry. These scholars believe that Hearst felt that this was a threat to his extensive timber holdings. Mellon, United States Secretary of the Treasury and the wealthiest man in America, had invested heavily in the DuPont's new synthetic fiber, nylon, and considered its success to depend on its replacement of the traditional resource, hemp.

On October 27, 1970, Congress passes the Comprehensive Drug Abuse Prevention and Control Act of 1970, which, among other things, categorizes controlled substances based on their medicinal use and potential for addiction.

In 1971, two congressmen released an explosive report on the growing heroin epidemic among U.S. servicemen in Vietnam; ten to fifteen percent of the servicemen were addicted to heroin, and President Nixon declared drug abuse to be "public enemy number one".<sup>[9]</sup>

In 1973, the Drug Enforcement Administration was created to replace the Bureau of Narcotics and Dangerous Drugs. As early as 1982, Vice President George H. W. Bush and his aides began pushing for the involvement of the CIA and U.S. military in drug interdiction efforts.<sup>[10]</sup>

The Office of National Drug Control Policy (ONDCP) was originally established by the National Narcotics Leadership Act of 1988,<sup>[11]</sup> which mandated a national anti-drug media campaign for youth, which would later become the National Youth Anti-Drug Media Campaign.<sup>[12]</sup> The director of ONDCP is commonly known as the Drug czar, and it was first implemented in 1989 under President George H. W. Bush, and raised to cabinet-level status by Bill Clinton in 1993.<sup>[citation needed]</sup> These activities were subsequently funded by the Treasury and General Government Appropriations Act of 1998.<sup>[13]</sup> The Drug-Free Media Campaign Act of 1998 codified the campaign at 21 U.S.C. § 1708<sup>[14][15]</sup>.



Mexican troops during a gun battle in Michoacán, 2007. Mexico's drug war claims nearly 50,000 lives each year.

The Global Commission on Drug Policy released a report on June 2, 2011 alleging that "The War On Drugs Has Failed". The commission was made up of 22 self-appointed members including a number of prominent international politicians and writers. U.S. Surgeon General Regina Benjamin also released the first ever National Prevention Strategy.<sup>[16]</sup>

On May 21, 2012, the U.S. Government published an updated version of its Drug Policy.<sup>[17]</sup> The director of ONDCP stated simultaneously that this policy is something different than "War on Drugs":

- The U.S Government sees the policy as a "third way" approach to drug control; an approach that is based on the results of a huge investment in research from some of the world's preeminent scholars on disease of substance abuse.

- The policy does not see drug legalization as the "silver bullet" solution to drug control.
- It is not a policy where success is measured by the number of arrests made or prisons built.<sup>[18]</sup>

At the same meeting was a declaration signed by the representatives of Italy, the Russian Federation, Sweden, the United Kingdom and the United States in line with this: "Our approach must be a balanced one, combining effective enforcement to restrict the supply of drugs, with efforts to reduce demand and build recovery; supporting people to live a life free of addiction".<sup>[19]</sup>

## United States domestic policy

### Arrests and incarceration

According to Human Rights Watch, the War on Drugs caused soaring arrest rates which deliberately disproportionately targeted African Americans.

The present state of incarceration in the U.S. as a result of the war on drugs arrived in several stages. By 1971, different stops on drugs had been implemented for more than 50 years (for e.g. since 1914, 1937 etc.) with only a very small increase of inmates per 100,000 citizens. During the first 9 years after Nixon coined the expression "War on Drugs", statistics showed only a minor increase in the total number of imprisoned.

After 1980, the situation began to change. In the 1980s, while the number of arrests for all crimes had risen by 28%, the number of arrests for drug offenses rose 126%.<sup>[20]</sup> The US Department of Justice, reporting on the effects of state initiatives, has stated that, from 1990 through 2000, "the increasing number of drug offenses accounted for 27% of the total growth among black inmates, 7% of the total growth among Hispanic inmates, and 15% of the growth among white inmates." In addition to prison or jail, the United States provides for the deportation of many non-citizens convicted of drug offenses.<sup>[21]</sup>

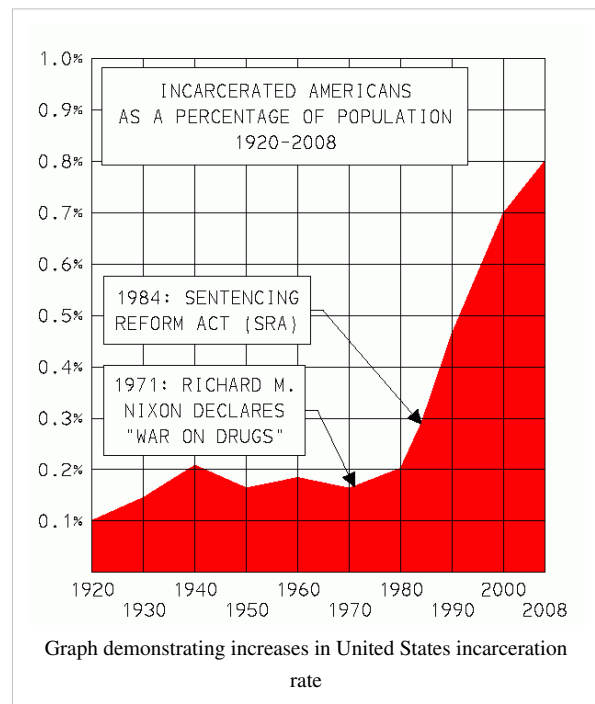
In 1994, the New England Journal of Medicine reported that the "War on Drugs" resulted in the incarceration of one million Americans each year.

In 2008, the Washington Post reported that of 1.5 million Americans arrested each year for drug offenses, half a million would be incarcerated. In addition, one in five black Americans would spend time behind bars due to drug laws.

Federal and state policies also impose collateral consequences on those convicted of drug offenses, such as denial of public benefits or licenses, that are not applicable to those convicted of other types of crime.<sup>[22]</sup>



Operation Mallorca, US Drug Enforcement Administration, 2005



## Sentencing disparities

In 1986, the U.S. Congress passed laws that created a 100 to 1 sentencing disparity for the possession *or* trafficking of crack when compared to penalties for *trafficking* of powder cocaine, which had been widely criticized as discriminatory against minorities, mostly blacks, who were more likely to use crack than powder cocaine.<sup>[23]</sup> This 100:1 ratio had been required under federal law since 1986.<sup>[24]</sup> Persons convicted in federal court of possession of 5 grams of crack cocaine received a minimum mandatory sentence of 5 years in federal prison. On the other hand, possession of 500 grams of powder cocaine carries the same sentence. In 2010, the Fair Sentencing Act cut the sentencing disparity to 18:1.

According to Human Rights Watch, crime statistics show that—in the United States in 1999—compared to non-minorities, African Americans were far more likely to be arrested for drug crimes, and received much stiffer penalties and sentences.

Statistics from 1998 show that there were wide racial disparities in arrests, prosecutions, sentencing and deaths. African-American drug users made up for 35% of drug arrests, 55% of convictions, and 74% of people sent to prison for drug possession crimes.<sup>[1]</sup> Nationwide African-Americans were sent to state prisons for drug offenses 13 times more often than other races, even though they only supposedly comprised 13% of regular drug users.

Anti-drug legislation over time has also displayed an apparent racial bias. University of Minnesota Professor and social justice author Michael Tonry writes, "The War on Drugs foreseeably and unnecessarily blighted the lives of hundreds and thousands of young disadvantaged black Americans and undermined decades of effort to improve the life chances of members of the urban black underclass."<sup>[25]</sup>

In 1968, President Lyndon B. Johnson decided that the government needed to make an effort to curtail the social unrest that blanketed the country at the time. He decided to focus his efforts on illegal drug use, an approach which was in line with expert opinion on the subject at the time. In the 1960s, it was believed that at least half of the crime in the U.S. was drug related, and this number grew as high as 90 percent in the next decade.<sup>[26]</sup> He created the Reorganization Plan of 1968 which merged the Bureau of Narcotics and the Bureau of Drug Abuse to form the Bureau of Narcotics and Dangerous Drugs within the Department of Justice.<sup>[27]</sup> The belief during this time about drug use was summarized by journalist Max Lerner in his celebrated<sup>[citation needed]</sup> work *America as a Civilization* (1957):

As a case in point we may take the known fact of the prevalence of reefer and dope addiction in Negro areas. This is essentially explained in terms of poverty, slum living, and broken families, yet it would be easy to show the lack of drug addiction among other ethnic groups where the same conditions apply.<sup>[28]</sup>

Richard Nixon became president in 1969, and did not back away from the anti-drug precedent set by Johnson. Nixon began orchestrating drug raids nationwide to improve his "watchdog" reputation. Lois B. Defleur, a social historian who studied drug arrests during this period in Chicago, stated that, "police administrators indicated they were making the kind of arrests the public wanted". Additionally, some of Nixon's newly created drug enforcement agencies would resort to illegal practices to make arrests as they tried to meet public demand for arrest numbers. From 1972 to 1973, the Office of Drug Abuse and Law Enforcement performed 6,000 drug arrests in 18 months, the majority of the arrested black.<sup>[29]</sup>

The next two Presidents, Gerald Ford and Jimmy Carter, responded with programs that were essentially a continuation of their predecessors. Shortly after Ronald Reagan became President in 1981 he delivered a speech on the topic. Reagan announced, "We're taking down the surrender flag that has flown over so many drug efforts; we're



D.C. Mayor Marion Barry captured on a surveillance camera smoking crack cocaine during a sting operation by the FBI and D.C. Police.

running up a battle flag."<sup>[30]</sup> For his first five years in office, Reagan slowly strengthened drug enforcement by creating mandatory minimum sentencing and forfeiture of cash and real estate for drug offenses, policies far more detrimental to poor blacks than any other sector affected by the new laws.

Then, driven by the 1986 cocaine overdose of black basketball star Len Bias, Reagan was able to pass the Anti-Drug Abuse Act through Congress. This legislation appropriated an additional \$1.7 billion to fund the War on Drugs. More importantly, it established 29 new, mandatory minimum sentences for drug offenses. In the entire history of the country up until that point, the legal system had only seen 55 minimum sentences in total.<sup>[31]</sup> A major stipulation of the new sentencing rules included different mandatory minimums for powder and crack cocaine. At the time of the bill, there was public debate as to the difference in potency and effect of powder cocaine, generally used by whites, and crack cocaine, generally used by blacks, with many believing that "crack" was substantially more powerful and addictive. Crack and powder cocaine are closely related chemicals, crack being a smokeable, freebase form of powdered cocaine hydrochloride which produces a shorter, more intense high while using less of the drug. This method is more cost effective, and therefore more prevalent on the inner-city streets, while powder cocaine remains more popular in white suburbia. The Reagan administration began shoring public opinion against "crack", encouraging DEA official Robert Putnam to play up the harmful effects of the drug. Stories of "crack whores" and "crack babies" became commonplace; by 1986, *Time* had declared "crack" the issue of the year.<sup>[32]</sup> Riding the wave of public fervor, Reagan established much harsher sentencing for crack cocaine, handing down stiffer felony penalties for much smaller amounts of the drug.<sup>[33]</sup>

Reagan protégé and former Vice-President George H. W. Bush was next to occupy the oval office, and the drug policy under his watch held true to his political background. Bush maintained the hard line drawn by his predecessor and former boss, increasing narcotics regulation when the First National Drug Control Strategy was issued by the Office of National Drug Control in 1989.<sup>[34]</sup>

The next three presidents – Clinton, Bush and Obama – continued this trend, maintaining the War on Drugs as they inherited it upon taking office.<sup>[35]</sup> During this time of passivity by the federal government, it was the states that initiated controversial legislation in the War on Drugs. Racial bias manifested itself in the states through such controversial policies as the "stop and frisk" police practices in New York city and the "three strikes" felony laws began in California in 1994.<sup>[36]</sup>

In August 2010, President Obama signed the Fair Sentencing Act into law that dramatically reduced the 100-to-1 sentencing disparity between powder and crack cocaine, which disproportionately affected minorities.<sup>[37]</sup>

## United States foreign policy and covert military activities

Some scholars have claimed that the phrase "War on Drugs" is propaganda cloaking an extension of earlier military or paramilitary operations. Others have argued that large amounts of "drug war" foreign aid money, training, and equipment actually goes to fighting leftist insurgencies and is often provided to groups who themselves are involved in large-scale narco-trafficking, such as corrupt members of the Colombian military.

## The War in Vietnam

From 1963 to the end of the Vietnam War in 1975, marijuana usage became common among U.S. soldiers in non-combat situations. Some servicemen also used heroin. Many of the servicemen ended the heroin use after returning to the United States but came home addicted. In 1971, the U.S. military conducted a study of drug use among American servicemen and women. It found that daily usage rates for drugs on a worldwide basis were as low as two percent. However, in the spring of 1971, two congressmen released an alarming report alleging that 15% of the servicemen in Vietnam were addicted to heroin. Marijuana use was also common in Vietnam. Soldiers who used drugs had more disciplinary problems. The frequent drug use had become an issue for the commanders in Vietnam, in 1971 it was estimated that 30,000 servicemen were addicted to drugs, most of them to heroin.

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From 1971 on, therefore, returning servicemen were required to take a mandatory heroin test. Servicemen who tested positive upon returning from Vietnam were not allowed to return home until they had passed the test with a negative result. The program also offered a treatment for heroin addicts.<sup>[38]</sup>

Elliot Borin's article "The U.S. Military Needs its Speed"—published in *Wired* on February 10, 2003—reports:

But the Defense Department, which distributed millions of amphetamine tablets to troops during World War II, Vietnam and the Gulf War, soldiers on, insisting that they are not only harmless but beneficial.

In a news conference held in connection with Schmidt and Umbach's Article 32 hearing, Dr. Pete Demitry, an Air Force physician and a pilot, claimed that the "Air Force has used (Dexedrine) safely for 60 years" with "no known speed-related mishaps."

The need for speed, Demitry added "is a life-and-death issue for our military."

## Operation Intercept

One of the first anti-drug efforts in the realm of foreign policy was President Nixon's Operation Intercept, announced in September 1969, targeted at reducing the amount of cannabis entering the United States from Mexico. The effort began with an intense inspection crackdown that resulted in an almost shutdown of cross-border traffic.<sup>[39]</sup> Because the burden on border crossings was controversial in border states, the effort only lasted twenty days.

## Operation Just Cause

On December 20, 1989, the United States invaded Panama as part of Operation Just Cause, which involved 25,000 American troops. Gen. Manuel Noriega, head of the government of Panama, had been giving military assistance to Contra groups in Nicaragua at the request of the U.S. which, in exchange, allowed him to continue his drug trafficking activities, which they had known about since the 1960s. When the Drug Enforcement Administration (DEA) tried to indict Noriega in 1971, the CIA prevented them from doing so.<sup>[4]</sup> The CIA, which was then directed by future president George H. W. Bush, provided Noriega with hundreds of thousands of dollars per year as payment for his work in Latin America. When CIA pilot Eugene Hasenfus was shot down over Nicaragua by the Sandinistas, documents aboard the plane revealed many of the CIA's activities in Latin America, and the CIA's connections with Noriega became a public relations "liability" for the U.S. government, which finally allowed the DEA to indict him for drug trafficking, after decades of allowing his drug operations to proceed unchecked. Operation Just Cause, whose purpose was to capture Noriega, led to the toppling of his regime; Noriega found temporary asylum in the Papal Nuncio, and surrendered to U.S. soldiers on January 3, 1990. He was sentenced by a court in Miami to 45 years in prison.



The U.S. military invasion of Panama in 1989

## Plan Colombia

As part of its Plan Colombia program, the United States government currently provides hundreds of millions of dollars per year of military aid, training, and equipment to Colombia, to fight left-wing guerrillas such as the Revolutionary Armed Forces of Colombia (FARC-EP), which has been accused of being involved in drug trafficking.<sup>[40]</sup>

Private U.S. corporations have signed contracts to carry out anti-drug activities as part of Plan Colombia. DynCorp, the largest private company involved, was among those contracted by the State Department, while others signed contracts with the Defense Department.<sup>[41]</sup>

Colombian military personnel have received extensive counterinsurgency training from U.S. military and law enforcement agencies, including the School of Americas (SOA). Author Grace Livingstone has stated that more Colombian SOA graduates have been implicated in human rights abuses than currently known SOA graduates from any other country. All of the commanders of the brigades highlighted in a 2001 Human Rights Watch report on Colombia were graduates of the SOA, including the III brigade in Valle del Cauca, where the 2001 Alto Naya Massacre occurred. US-trained officers have been accused of being directly or indirectly involved in many atrocities during the 1990s, including the Massacre of Trujillo and the 1997 Mapiripán Massacre.<sup>[42]</sup> US military schools and manuals have been training Latin American officers in Colombia and in the region at large since the 1960s, and have taught students to target civilian supporters of the guerrillas.<sup>[43]</sup>

In 2000, the Clinton administration initially waived all but one of the human rights conditions attached to Plan Colombia, considering such aid as crucial to national security at the time.<sup>[44]</sup>

The efforts of U.S. and Colombian governments have been criticized for focusing on fighting leftist guerrillas in southern regions without applying enough pressure on right-wing paramilitaries and continuing drug smuggling operations in the north of the country.<sup>[45]</sup> Human Rights Watch, congressional committees and other entities have documented the existence of connections between members of the Colombian military and the AUC, which the U.S. government has listed as a terrorist group, and that Colombian military personnel have committed human rights abuses which would make them ineligible for U.S. aid under current laws.<sup>[citation needed]</sup>

In 2010, the Washington Office on Latin America concluded that both Plan Colombia and the Colombian government's security strategy "came at a high cost in lives and resources, only did part of the job, are yielding diminishing returns and have left important institutions weaker."<sup>[46]</sup>

## Mérida Initiative

The Mérida Initiative is a security cooperation between the United States and the government of Mexico and the countries of Central America. It was approved on June 30, 2008, and its stated aim is combating the threats of drug trafficking and transnational crime. The Mérida Initiative appropriated \$1.4 billion in a three-year commitment (2008–2010) to the Mexican government for military and law enforcement training and equipment, as well as technical advice and training to strengthen the national justice systems. The Mérida Initiative targeted many very important government officials, but it failed to address the thousands of Central Americans who had to flee their countries due to the danger they faced everyday because of the war on drugs. There is still not any type of plan that addresses these people. No weapons are included in the plan.



Mexico is scheduled to receive US\$1.6 billion in equipment and strategic support from the United States through the Mérida Initiative

## Aerial herbicide application

The United States regularly sponsors the spraying of large amounts of herbicides such as glyphosate over the jungles of Central and South America as part of its drug eradication programs. Environmental consequences resulting from aerial fumigation have been criticized as detrimental to some of the world's most fragile ecosystems; the same aerial fumigation practices are further credited with causing health problems in local populations.

## U.S. operations in Honduras

In 2012, the U.S. sent DEA agents to Honduras to assist security forces in counternarcotics operations. Honduras has been a major stop for drug traffickers, who use small planes and landing strips hidden throughout the country to transport drugs. The U.S. government made agreements with several Latin American countries to share intelligence and resources to counter the drug trade. DEA agents, working with other U.S. agencies such as the State Department, the CBP, and Joint Task Force-Bravo, assisted Honduras troops in conducting raids on traffickers' sites of operation.



Plane sprays herbicides over the jungles of Colombia.

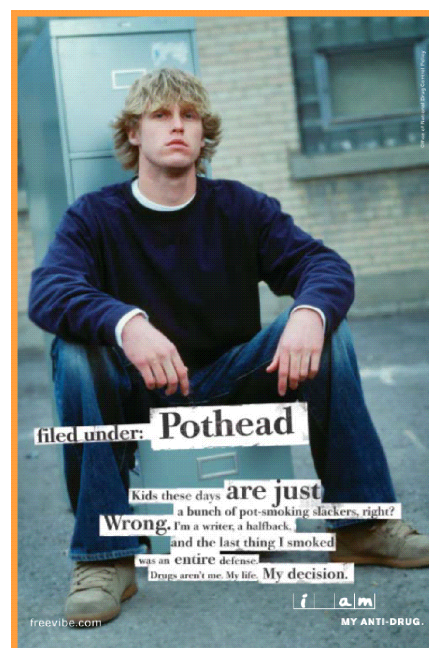
## Public support and opposition in the United States

The War on Drugs has been a highly contentious issue since its inception. A poll on October 2, 2008, found that three in four Americans believed that the War On Drugs was failing.

At a meeting in Guatemala in 2012, three former presidents from Guatemala, Mexico and Colombia said that the war on drugs had failed and that they would propose a discussion on alternatives, including decriminalization, at the Summit of the Americas in April of that year. Guatemalan President Otto Pérez Molina said that the war on drugs was exacting too high a price on the lives of Central Americans and that it was time to "end the taboo on discussing decriminalization".<sup>[47]</sup> At the summit, the government of Colombia pushed for the most far-reaching change to drugs policy since the war on narcotics was declared by Nixon four decades prior, citing the catastrophic effects it had had in Colombia.

Several writers have compared the wholesale incarceration of the dissenting minority of drug users to the wholesale incarceration of other minorities in history. Psychiatrist Thomas Szasz, for example, writes "Over the past thirty years, we have replaced the medical-political persecution of illegal sex users ('perverts' and 'psychopaths') with the even more ferocious medical-political persecution of illegal drug users."<sup>[48]</sup> Journalist David Simon calls the imprisonment of psychopharmacological dissenters "a holocaust in slow motion".<sup>[49]</sup>

Some historians—such as Jonathan Lewy—have a somewhat different view on the drug policy in Nazi Germany (see Drug policy of the Third Reich).<sup>[50]</sup> Drug use among non-persecuted groups was considered legal in the Third Reich as long as the person had a medical prescription and military commanders distributed pills containing amphetamine.



An American domestic government propaganda poster circa 2000 concerning cannabis in the United States.



## Socio-economic effects

### Cyclic creation of permanent underclass

Penalties for drug crimes among American youth almost always involve permanent or semi-permanent removal from opportunities for education, strip them of voting rights, and later involve creation of criminal records which make employment more difficult. Thus, some authors maintain that the War on Drugs has resulted in the creation of a permanent underclass of people who have few educational or job opportunities, often as a result of being punished for drug offenses which in turn have resulted from attempts to earn a living in spite of having no education or job opportunities.

### Costs to taxpayers

According to a 2008 study published by Harvard economist Jeffrey A.

Miron, the annual savings on enforcement and incarceration costs from the legalization of drugs would amount to roughly \$41.3 billion, with \$25.7 billion being saved among the states and over \$15.6 billion accrued for the federal government. Miron further estimated at least \$46.7 billion in tax revenue based on rates comparable to those on tobacco and alcohol (\$8.7 billion from marijuana, \$32.6 billion from cocaine and heroin, remainder from other drugs).

Low taxation in Central American countries has been credited with weakening the region's response in dealing with drug traffickers. Many cartels, especially Los Zetas have taken advantage of the limited resources of these nations. 2010 tax revenue in El Salvador, Guatemala, and Honduras, composed just 13.53% of GDP. As a comparison, in Chile and the U.S., taxes were 18.6% and 26.9% of GDP respectively. However, direct taxes on income are very hard to enforce and in some cases tax evasion is seen as a national pastime.<sup>[51]</sup>

### Impact on growers

The status of coca and coca growers has become an intense political issue in several countries, including Colombia and particularly Bolivia, where the president, Evo Morales, a former coca growers' union leader, has promised to legalise the traditional cultivation and use of coca.<sup>[52]</sup> Indeed, legalization efforts have yielded some successes under the Morales administration when combined with aggressive and targeted eradication efforts. The country saw a 12-13% decline in coca cultivation in 2011 under Morales, who has used coca growers' federations to ensure compliance with the law rather than providing a primary role for security forces.

The coca eradication policy has been criticised for its negative impact on the livelihood of coca growers in South America. In many areas of South America the coca leaf has traditionally been chewed and used in tea and for religious, medicinal and nutritional purposes by locals. For this reason many insist that the illegality of traditional coca cultivation is unjust. In many areas the US government and military has forced the eradication of coca without providing for any meaningful alternative crop for farmers, and has additionally destroyed many of their food or market crops, leaving them starving and destitute.



1 million people are incarcerated every year in the United States for drug law violations.

## U.S. government involvement in drug trafficking

The CIA, DEA, State Department, and several other U.S. government agencies have been implicated in various drug trafficking enterprises, which were used to fund illegal covert activities in several nations.

### CIA and Contra cocaine trafficking

A lawsuit filed in 1986 by two journalists represented by the Christic Institute showed that the Central Intelligence Agency (CIA) and other parties were engaged in criminal acts, including financing the purchase of arms with the proceeds of cocaine sales.

Senator John Kerry's 1988 U.S. Senate Committee on Foreign Relations report on Contra drug links concludes that members of the U.S. State Department "who provided support for the Contras are involved in drug trafficking... and elements of the Contras themselves knowingly receive financial and material assistance from drug traffickers."<sup>[53]</sup> The report further states that "the Contra drug links include... payments to drug traffickers by the U.S. State Department of funds authorized by the Congress for humanitarian assistance to the Contras, in some cases after the traffickers had been indicted by federal law enforcement agencies on drug charges, in others while traffickers were under active investigation by these same agencies."

In 1996, journalist Gary Webb published reports in the *San Jose Mercury News*, and later in his book *Dark Alliance*, detailing how Contras, with the assistance of the U.S. government had distributed crack cocaine into Los Angeles to fund weapons purchases.

Webb's premise regarding the U.S. Government connection was initially attacked at the time by the corporate media. It is now widely accepted that Webb's main assertion of government "knowledge of drug operations, and collaboration with and protection of known drug traffickers" was correct. In 1998, CIA Inspector General Frederick Hitz published a two-volume report that while seemingly refuting Webb's claims of knowledge and collaboration in its conclusions did not deny them in its body. Hitz went on to admit CIA improprieties in the affair in testimony to a House congressional committee. Mainstream media has since reversed its position on Webb's work acknowledging his contribution to exposing a scandal it had ignored.

### Heroin trafficking operations of the CIA, U.S. Navy and Sicilian Mafia

According to Rodney Campbell, an editorial assistant to Nelson Rockefeller, during World War II, the United States Navy, concerned that strikes and labor disputes in U.S. eastern shipping ports would disrupt wartime logistics, released the mobster Lucky Luciano from prison, and collaborated with him to help the mafia take control of those ports. Labor union members were terrorized and murdered as a means of preventing labor unrest and ensuring smooth shipping of supplies to Europe.

In order to prevent Communist party members from being elected in Italy following World War II, the CIA worked closely with the Sicilian Mafia, protecting them and assisting in their worldwide heroin smuggling operations in exchange for the mafia's assistance with assassinating, torturing, and beating leftist political organizers.<sup>[54]</sup>

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## Efficiency of war on drugs in the United States

In 1986, the US Defense Department funded a two-year study by the RAND Corporation, which found that the use of the armed forces to interdict drugs coming into the United States would have little or no effect on cocaine traffic and might, in fact, raise the profits of cocaine cartels and manufacturers. The 175-page study, "Sealing the Borders: The Effects of Increased Military Participation in Drug Interdiction", was prepared by seven researchers, mathematicians and economists at the National Defense Research Institute, a branch of the RAND, and was released in 1988. The study noted that seven prior studies in the past nine years, including one by the Center for Naval Research and the Office of Technology Assessment, had come to similar conclusions. Interdiction efforts, using current armed forces resources, would have almost no effect on cocaine importation into the United States, the report concluded.<sup>[55]</sup>



USS *Rentz* (FFG-46) attempts to put out a fire set by drug smugglers trying to escape and destroy evidence.

During the early-to-mid-1990s, the Clinton administration ordered and funded a major cocaine policy study, again by RAND. The Rand Drug Policy Research Center study concluded that \$3 billion should be switched from federal and local law enforcement to treatment. The report said that treatment is the cheapest way to cut drug use, stating that drug treatment is twenty-three times more effective than the supply-side "war on drugs".<sup>[56]</sup>

The National Research Council Committee on Data and Research for Policy on Illegal Drugs published its findings in 2001 on the efficacy of the drug war. The NRC Committee found that existing studies on efforts to address drug usage and smuggling, from U.S. military operations to eradicate coca fields in Colombia, to domestic drug treatment centers, have all been inconclusive, if the programs have been evaluated at all: "The existing drug-use monitoring systems are strikingly inadequate to support the full range of policy decisions that the nation must make.... It is unconscionable for this country to continue to carry out a public policy of this magnitude and cost without any way of knowing whether and to what extent it is having the desired effect."<sup>[57]</sup> The study, though not ignored by the press, was ignored by top-level policymakers, leading Committee Chair Charles Manski to conclude, as one observer notes, that "the drug war has no interest in its own results".<sup>[58]</sup>

During alcohol prohibition, the period from 1920 to 1933, alcohol use initially fell but began to increase as early as 1922. It has been extrapolated that even if prohibition had not been repealed in 1933, alcohol consumption would have quickly surpassed pre-prohibition levels. One argument against the War on Drugs is that it uses similar measures as Prohibition and is no more effective.

In the six years from 2000 to 2006, the U.S. spent \$4.7 billion on Plan Colombia, an effort to eradicate coca production in Colombia. The main result of this effort was to shift coca production into more remote areas and force other forms of adaptation. The overall acreage cultivated for coca in Colombia at the end of the six years was found to be the same, after the U.S. Drug Czar's office announced a change in measuring methodology in 2005 and included new areas in its surveys. Cultivation in the neighboring countries of Peru and Bolivia increased, some would describe this effect like squeezing a balloon.<sup>[59]</sup>

Similar lack of efficacy is observed in some other countries pursuing similar<sup>[citation needed]</sup> policies. In 1994, 28.5% of Canadians reported having consumed illicit drugs in their life; by 2004, that figure had risen to 45%. 73% of the \$368 million spent by the Canadian government on targeting illicit drugs in 2004–2005 went toward law enforcement rather than treatment, prevention or harm reduction.

Richard Davenport-Hines, in his book *The Pursuit of Oblivion*, criticized the efficacy of the War on Drugs by pointing out that

10–15% of illicit heroin and 30% of illicit cocaine is intercepted. Drug traffickers have gross profit margins of up to 300%. At least 75% of illicit drug shipments would have to be intercepted before the traffickers' profits were hurt.

Alberto Fujimori, president of Peru from 1990 to 2000, described U.S. foreign drug policy as "failed" on grounds that "for 10 years, there has been a considerable sum invested by the Peruvian government and another sum on the part of the American government, and this has not led to a reduction in the supply of coca leaf offered for sale. Rather, in the 10 years from 1980 to 1990, it grew 10-fold."<sup>[60]</sup>

At least 500 economists, including Nobel Laureates Milton Friedman,<sup>[61]</sup> George Akerlof and Vernon L. Smith, have noted that reducing the supply of marijuana without reducing the demand causes the price, and hence the profits of marijuana sellers, to go up, according to the laws of supply and demand. The increased profits encourage the producers to produce more drugs despite the risks, providing a theoretical explanation for why attacks on drug supply have failed to have any lasting effect. The aforementioned economists published an open letter to President George W. Bush stating "We urge...the country to commence an open and honest debate about marijuana prohibition... At a minimum, this debate will force advocates of current policy to show that prohibition has benefits sufficient to justify the cost to taxpayers, foregone tax revenues and numerous ancillary consequences that result from marijuana prohibition."

The declaration from the World Forum Against Drugs, 2008 state that a balanced policy of drug abuse prevention, education, treatment, law enforcement, research, and supply reduction provides the most effective platform to reduce drug abuse and its associated harms and call on governments to consider demand reduction as one of their first priorities in the fight against drug abuse.<sup>[62]</sup>

Despite over \$7 billion spent annually towards arresting and prosecuting nearly 800,000 people across the country for marijuana offenses in 2005<sup>[citation needed]</sup> (FBI Uniform Crime Reports), the federally funded Monitoring the Future Survey reports about 85% of high school seniors find marijuana "easy to obtain". That figure has remained virtually unchanged since 1975, never dropping below 82.7% in three decades of national surveys. The Drug Enforcement Administration states that the number of users of marijuana in the U.S. declined between 2000 and 2005 even with many states passing new medical marijuana laws making access easier,<sup>[63]</sup> Wikipedia:Link rot though usage rates remain higher than they were in the 1990s according to the NSDUH.<sup>[64]</sup>

ONDCP stated in April 2011 that there has been a 46 percent drop in cocaine use among young adults over the past five years, and a 65 percent drop in the rate of people testing positive for cocaine in the workplace since 2006.<sup>[65]</sup> At the same time, a 2007 study found that up to 35% of college undergraduates used stimulants not prescribed to them.<sup>[66]</sup>

## Legality

The legality of the War on Drugs has been challenged on six main grounds in the US.

1. It is argued that drug prohibition, as presently implemented, violates the substantive due process doctrine in that its benefits do not justify the encroachments on rights that are supposed to be guaranteed by the Fifth and Fourteenth Amendments to the U.S. Constitution. On July 27, 2011, U.S. District Judge Mary S. Scriven ruled that Florida's legislation purporting to eliminate intent as an element of the crime of drug possession was unconstitutional. Commentators explained the ruling in terms of due process.
2. Freedom of religious conscience legally allows some (for example, members of the Native American Church) to use peyote with definite spiritual or religious motives. The sacramental use of dimethyltryptamine in the form of Ayahuasca is also allowed for members of União De Vegetal. The Free Exercise Clause of the First Amendment implies no requirement for someone to be affiliated to an official church – therefore leaving some ambiguity.
3. It has been argued that the Commerce Clause means that the power to regulate drug use should be state law not federal law.



4. The inequity of prosecuting the war on certain drugs but not alcohol or tobacco has also been called into question. Prohibition of alcohol required the 18th Amendment to the Constitution. It has been argued that prohibition of marijuana would also require an amendment to the Constitution, but no such amendment has been made.

## Alternatives

Several authors believe that the United States' federal and state governments have chosen the wrong method to combat the distribution of drugs. By financing domestic law enforcement (which includes activities focused on the criminal justice system, such as the courts, police, and prosecution) in favor of treatment (which includes helping users become drug-free through in-patient and out-patient counseling and other services), the government has focused on punishment rather than prevention. By making drugs illegal rather than regulating them, the War on Drugs creates a highly profitable black market. Jefferson Fish has edited scholarly collections of articles offering a wide variety of public health based and rights based alternative drug policies.<sup>[67][68][69]</sup>

In the year 2000, the United States drug-control budget reached 18.4 billion dollars,<sup>[70]</sup> nearly half of which was spent financing law enforcement while only one sixth was spent on treatment. In the year 2003, 53 percent of the requested drug control budget was for enforcement, 29 percent for treatment, and 18 percent for prevention.<sup>[71]</sup> The state of New York, in particular, designated 17 percent of its budget towards substance-abuse-related spending. Of that, a mere one percent was put towards prevention, treatment, and research.

In a survey taken by Substance Abuse and Mental Health Services Administration (SAMHSA), it was found that substance abusers that remain in treatment longer are less likely to resume their former drug habits. Of the people that were studied, 66 percent were cocaine users. After experiencing long-term in-patient treatment, only 22 percent returned to the use of cocaine. Treatment had reduced the number of cocaine abusers by two-thirds. By spending the majority of its money on law enforcement, the federal government had underestimated the true value of drug-treatment facilities and their benefit towards reducing the number of addicts in the U.S.

In 2004 the federal government issued the National Drug Control Strategy. It supported programs designed to expand treatment options, enhance treatment delivery, and improve treatment outcomes. For example, the Strategy provided SAMHSA with a \$100.6 million grant to put towards their Access to Recovery (ATR) initiative. ATR is a program that provides vouchers to addicts to provide them with the means to acquire clinical treatment or recovery support. The project's goals are to expand capacity, support client choice, and increase the array of faith-based and community based providers for clinical treatment and recovery support services.<sup>[72]</sup> The ATR program will also provide a more flexible array of services based on the individual's treatment needs.

The 2004 Strategy additionally declared a significant 32 million dollar raise in the Drug Courts Program, which provides drug offenders with alternatives to incarceration. As a substitute for imprisonment, drug courts identify substance-abusing offenders and place them under strict court monitoring and community supervision, as well as provide them with long-term treatment services.<sup>[73]</sup> According to a report issued by the National Drug Court Institute, drug courts have a wide array of benefits, with only 16.4 percent of the nation's drug court graduates rearrested and charged with a felony within one year of completing the program (versus the 44.1% of released prisoners who end up back in prison within 1-year). Additionally, enrolling an addict in a drug court program costs much less than incarcerating one in prison.<sup>[74]</sup> According to the Bureau of Prisons, the fee to cover the average cost of incarceration for Federal inmates in 2006 was \$24,440.<sup>[75]</sup> The annual cost of receiving treatment in a drug court program ranges from \$900 to \$3,500. Drug courts in New York State alone saved \$2.54 million in incarceration costs.

Describing the failure of the War on Drugs, *New York Times* columnist Eduardo Porter noted:

Jeffrey Miron, an economist at Harvard who studies drug policy closely, has suggested that legalizing all illicit drugs would produce net benefits to the United States of some \$65 billion a year, mostly by cutting public spending on enforcement as well as through reduced crime and corruption. A study by analysts at the RAND Corporation, a California research organization, suggested that if marijuana were

legalized in California and the drug spilled from there to other states, Mexican drug cartels would lose about a fifth of their annual income of some \$6.5 billion from illegal exports to the United States.

Many believe that the War on Drugs has been costly and ineffective largely because there has not been a high enough emphasis placed on treatment. The United States leads the world in both recreational drug usage and incarceration rates. 70% of men arrested in metropolitan areas test positive for an illicit substance, and 54% of all men incarcerated will be repeat offenders.

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website

- The Report of the Canadian Government Commission of Inquiry into the Non-Medical Use of Drugs—1972 (<http://www.druglibrary.org/schaffer/Library/studies/ledain/ldctoc.html>)

## External links

- Narco News (<http://www.narconews.com/>)—news site focusing on drug war in Latin America
- Drug War Facts (<http://www.drugwarfacts.org/>)
- Drug War Distortions (<http://www.drugwardistortions.org/>)
- Major Studies of Drugs and Drug Policy (<http://www.Druglibrary.org/schaffer/library/studies/studies.htm>)  
Full text of major government commission reports on the drug laws from around the world over the last 100 years
- Historical Research on the Drug War (<http://www.Druglibrary.org/schaffer/history/history.htm>) Full text of numerous full histories of the drug war and thousands of original historical documents
- Cato Institute Drug Prohibition Research (<http://www.cato.org/current/drug-war/index.html>)
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- *The House I Live In* (<http://www.thehouseilivein.org/>)—Another documentary film, Grand Jury Prize SUNDANCE Film Festival 2012

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